

- (a) Dr. Richard Root's April 12, 2010 neuropsychological evaluation;
- (b) the treatment notes and August 2010 opinion letter of Maggie Comparetta;
- (c) the June 2010 letter of Lawrence Seavey; and
- (d) the September 2010 statement of John Simonds.

Further, the ALJ shall reconsider each of her findings in light of the new evidence. Particularly, she shall reconsider her determination to afford great weight to agency consultant Dr. Patalano's opinion (see AR 266-83, dated June 2008), given that he did not have in his possession at the time he rendered such opinion all relevant treatment notes and opinions from Simonds' treating or examining sources, including those of therapist Maggie Comparetta (see AR 106-09, dated October 2009 through August 2010, and AR 212, undated), mental health counselor Leona Brown (see AR-298-304, dated September to November 2008), vocational rehabilitation counselor Lawrence Seavey (see AR 213-16, dated August 2008 through June 2010, and June 2010 letter which does not appear in record) and Dr. Richard Root (see Doc. 24-1, dated April 2010).

Because the new evidence may fill some of the gaps noted in the ALJ's initial decision, it is unnecessary and futile to consider the arguments presented in the parties' cross-motions filed pursuant to sentence four of section 405(g). (Docs. 12, 19.)

SO ORDERED.

Dated at Brattleboro, in the District of Vermont, this 16th day of March, 2012.

/s/ J. Garvan Murtha
Honorable J. Garvan Murtha
U.S. District Judge